

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHAEL L. FRANKLIN JR.,

Plaintiff,

vs.

DEPARTMENT OF HEALTH & HUMAN  
SERVICES,

Defendant.

**8:21CV87**

**ORDER**

This matter is before the Court on Clerk of Court's in forma pauperis memo, Filing No. 57, regarding Plaintiff's Notice of Appeal, Filing No. 55. The Court has carefully reviewed the request and finds it is without merit for the reasons set forth in the Court's prior order, Filing No. 53. Likewise, the Court finds there is no merit to his notice of appeal and finds the appeal is frivolous for the reasons set forth in Filing No. 53. Accordingly, the Court finds the plaintiff is not entitled to proceed on appeal in forma pauperis and denies the request.

THEREFORE, IT IS ORDERED that the plaintiff is denied leave to appeal in forma pauperis.

Dated this 18th day of February, 2022.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge